
OLR Bill Analysis

sHB 5322

AN ACT CONCERNING NURSING HOME FACILITY MINIMUM STAFFING LEVELS.

SUMMARY:

This bill establishes a statutory daily minimum ratio of total nursing staff (licensed nurses and nurse's aides) to residents for chronic and convalescent nursing homes (CCNHs). Currently, under Department of Public Health (DPH) regulations, CCNHs must meet minimum ratios of (1) 1.40 total nursing staff hours per patient from 7 a.m. to 9 p.m. and (2) 0.5 total nursing staff hours per patient from 9 p.m. to 7 a.m. The regulations also set separate requirements for the ratio of licensed nursing staff hours per patient for those time periods (Conn. Agencies Reg., § 19-13-D8t(m)).

The bill increases the overall required daily ratio from 1.9 hours to 2.3 hours per patient, but because it does not break the ratio down by shifts or differentiate between licensed and total nursing staff, it appears that a CCNH could (1) decrease its ratio either during the day or night shift (e.g. a home may decrease the daytime staff ratio to 1.2 hours per patient and increase the nighttime ratio to 1.1 hours per patient) and (2) decrease the number of licensed nurses working per shift, and still comply with the bill's requirements.

Under the bill, if a CCNH's costs or expenses increase as a result of complying with the bill's staffing ratio, the Department of Social Services must adjust Medicaid rates and pay the CCNH for the increased costs or expenses within a reasonable time, retroactively to October 1, 2014.

The bill also requires the DPH commissioner to adopt new or amend its existing regulations to implement the bill's provisions.

EFFECTIVE DATE: October 1, 2014

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/18/2014)